

United States District Court
Central District of California

MELISSA HENSON and KEITH
TURNER on behalf of themselves and
others similarly situated,
Plaintiffs,
v.
FIDELITY NATIONAL FINANCIAL
INC.,
Defendant.

Case No. 2:14-cv-01240-ODW(RZx)

**ORDER DENYING DEFENDANT'S
MOTION FOR JUDGMENT ON
THE PLEADINGS [29]**

On June 9 and 10, 2014, Plaintiff Keith Turner filed a total of three Notices of Manual Filing. (ECF Nos. 41–43.) The documents subject to these Notices are the Declaration of Thomas Segal in Support of Reply re Class Certification, Unopposed Ex Parte Application for Leave to File Declaration of Thomas Segal in Support of Reply re Class Certification Under Seal, and Plaintiff's [Proposed] Order Granting Ex Parte Application to File Declaration of Thomas Segal in Support of Reply re Class Certification Under Seal. The Court has received the latter two documents but not the first—the document the Court presumes is the true subject of the proposed under-seal filing.

In any event, none of these filings comply with the Court's under-seal filing procedures. First, Local Rule 79-5.1 provides that "no case or document shall be filed

1 under seal or in camera without prior approval by the Court.” The Court has yet to
2 approve any under-seal filing related to Turner’s Reply.

3 Second, this Court is participating in an under-seal filing pilot program as
4 outlined in its Rules. *See* FAQs about Judges’ Procedures and Schedules ¶ XVI,
5 *available at* http://tiny.cc/ODW_Under_Seal_Procedures. These specific procedures
6 deviate from those set forth in Local Rule 79-5.1 and provide for two different
7 scenarios depending on whether the application to file the documents under seal itself
8 needs to be sealed. Turner has complied with neither avenue.

9 The Court therefore **STRIKES** the purported under-seal filings located at
10 docket entries 41, 42,¹ and 43. If Turner wishes to file a document under seal, and if
11 the application itself does not need to be sealed, he must file the application on the
12 public docket, lodge the proposed order, and email the documents to be sealed to
13 ODWChambers@cacd.uscourts.gov. The Court will thereafter review the documents
14 and rule on the under-seal application. It is not appropriate to manually file the
15 application through the Clerk’s Office.

16 **IT IS SO ORDERED.**

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18 June 13, 2014

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21 **OTIS D. WRIGHT, II**
22 **UNITED STATES DISTRICT JUDGE**
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1 ¹ Docket entry 42 actually appears to be a blank PDF.